

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance • • Administration • • Executive/Legal • • Enforcement • • Statements of Economic Interest
(916) 322-5662 322-5660 322-5901 322-6441 322-6444

March 24, 1981

Ralph D. Morrell
825 Newgate Way
Dixon, California 95620

A-81-147

Dear Mr. Morrell:

This letter is in response to our recent telephone conversation regarding your reporting obligations under the Political Reform Act.

The period covered by your campaign statement:

With respect to the "period covered" by campaign statements filed by proponents of state ballot measures and committees formed primarily to support or oppose the qualification of ballot measures, you are correct that the Information Manual on Campaign Disclosure Provisions of the Political Reform Act is in error. The "period covered" for your campaign disclosure statement runs from the first day you or your committee received contributions or made reportable expenditures through seven days (not 28 days) prior to the date when the statement is due. Your statement is due not later than 35 days after the date of notification that the "Operation Vote - Switch" measure failed to qualify (Government Code Section 84200(d)).

You are also correct that the period covered by a proponent's or qualification committee's statement generally commences on January 1. However, in a case such as your's, where the qualification effort was underway in a previous calendar year the period covered extends back until the date of the first reportable activity (Government Code Sections 82013, 82046 and page 14 of the Information Manual).

Definition of proponent:

The term "proponent" is defined in Section 29710 of the Elections Code as follows:

[The] "proponent or proponents of an initiative or referendum measure" means the person or persons who submit a draft of a petition proposing the measure to the Attorney General with a request that he prepare a title and summary of the chief purpose and points of the proposed measure. (emphasis added)

Section 84200(d) of the Government Code requires that "committees formed or existing primarily to support or oppose the qualification of a measure and proponents of a state measure shall file campaign statements(emphasis added)." Accordingly, you and the other two individuals who presented the "written request" discussed in Section 3502 of the Elections Code are all considered proponents and therefore have an obligation to file a campaign statement. However, as explained below we will permit you and the other two proponents to file one combined statement along with "Operation Vote - Switch" Committee to reform voting practices in the Assembly of California.

Correct form for filing your campaign statement:

The Commission may by regulation or written advice permit candidates and committees to file combined or "consolidated" campaign statements (Government Code Section 84211). Pursuant to this authority the Commission authorizes you and other two proponents of the ballot measure to file one combined campaign statement with the "Operation Vote - Switch" Committee. The appropriate form is Recipient Committee Campaign Statement--Form 420, (enclosed) and you should indicate on the top of the form that it is being filed as a "combined proponent/committee campaign statement."

I hope this letter adequately clarifies your reporting obligations under the Political Reform Act. If you have further questions in this regard, please contact the Commission's Technical Assistance and Analysis Division at (916) 322-5662.

I also appreciate your input on the manual and will take appropriate steps to make the corrections and improvements we discussed.

Sincerely,

THOMAS K. HOUSTON
Chairman, FPPC

TKH:bw

Enclosure